

### **Remarks**

Claims 3-6, 8-11, 15-20, 23-26, 28-31, 35-40, 43 and 46 are pending but stand rejected. Claims 1, 2, 7, 12-14, 21, 22, 27, 32-34, 41, 42, 44, 45, 47, and 48 have been cancelled. In view of the amendments and following remarks, the Application respectfully requests the Examiner's thoughtful reconsideration.

### **Drawings**

The Examiner objected to Figures 20 and 21 noting that they failed to include a reference number 153 mentioned in paragraph [0070] of the specification. The specification has been amended to delete reference 153.

### **Claim Objections**

The Examiner objected to Claim 32 noting a typographical error. Claim 34 has been amended to address the Examiner's concerns.

### **Rejections Under 35 U.S.C. § 112**

The Examiner has rejected Claims 2, 6, 11, 22, 23, 31, and 42 noting a lack of antecedent basis in various instances. These claims have been amended to address the examiners concerns

### **Rejections Under 35 U.S.C. § 102**

The Examiner has rejected Claims 1-17, 21-37, and 41-48 under §102 as being anticipated by US Pub 200/0040375 to Simon.

Simon describes a system in which a set of images are to be placed on a page. As alluded to by the Examiner, the actual print size of those images is not determined until the images are placed on the page. The Examiner notes that the images, after selection, are scaled to minimize the amount of unused space on the page. Each of the remaining independent claims recites the existence or identification of a set of digital images each having a pre-determined print size as

well as the placement of images having an identified largest predetermined print size in an identified packing area. This is not taught or suggested by Simon.

For at least this reason, Claims 3-6, 8-11, 15-7, 23-26, 28-31, 35-37, 43 and 46 are patentable over Simon.

### **Rejections Under 35 U.S.C. § 103**

The Examiner has rejected Claims 18-20 and 38-40 under §103 as being anticipated by US Pub 200/0040375 to Simon in view of various other references. Each of these claims depends from a patentable base claim, and for the reasons stated above are also patentable over the cited references.

### **Conclusion**

The Applicants respectfully contend that the subject application is in a condition for allowance. Allowance is respectfully requested.

Respectfully submitted,  
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